

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CC CHEMOKINE RECEPTOR 5 DNA, NEW ANIMAL MODELS AND THERAPEUTIC AGENTS FOR HIV INFECTION, the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____ as United States Application No. _____
- ☐ was described and claimed in PCT International Application No. _____, filed on _____, and as amended under PCT Article 19 on _____ (if applicable).
- ☐ and was amended on _____ (if applicable).
- ☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of an PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)	Country	Filing Date	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/018,508	May 28, 1996

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal

Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

Application No.	Filing Date	Status: patented, pending, abandoned
08/864,458	May 28, 1997	Pending

I hereby appoint the following attorney(s) and/or agent(s) associated with Customer Number 05318 to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
Dale Berkley	42,319	Norbert Pontzer	40,777
Steven Ferguson	38,488	Richard U. Rodriguez	45,980
Stephen Finley	36,357	Susan S. Rucker	35,762
James C. Haight	25,588	David R. Sadowski	32,808
Catherine M. Joyce	40,668	Marlene Shinn	46,005
John Peter Kim	38,514	Michael Shmilovich	45,634
		Jack Spiegel	34,477

all of the National Institutes of Health, Office of Technology Transfer, 6011 Executive, Boulevard, Suite #325, Rockville, MD 20852.

I also grant an Associate Power of Attorney to the following attorney(s) and/or agents(s) at the law firm of Klarquist Sparkman, LLP associated with Customer Number 36218:

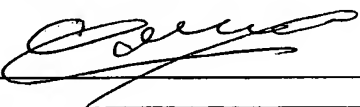
Name	Reg. No.	Name	Reg. No.
John W. Stuart	24,540	Gregory L. Maurer	43,781
Richard J. Polley	28,107	Patrick M. Bible	44,423
William D. Noonan	30,878	Gillian L. Bunker	47,461
Donald L. Stephens Jr.	34,022	Anne Carlson	47,472
Wayne W. Rupert	34,420	Sheree L. Rybak	47,913
Stacey C. Slater	36,011	Devon J. Zastrow	50,206
Stephen A. Wight	37,759	David Cash	52,706
Lisa M. Caldwell	41,653	Travis Young	53,819
Michael D. Jones	41,879	Theodore W. Baker	53,961
Tanya M. Harding	42,630	Debra A. Gordon	54,128
Susan Alpert Siegel	43,121	Kevin M. Hayes	54,158

Address all telephone calls to Tanya M. Harding, Ph.D., telephone number 503/226-7391 and facsimile number 503/228-9446.

Address all correspondence to Customer Number 36218:

KLARQUIST SPARKMAN, LLP
One World Trade Center, Suite 1600
121 SW Salmon Street
Portland, OR 97204-2988

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Name of First Inventor:	Christophe Combadiere	
Residence:	Paris, France	
Mailing Address:	18 Rue de Reage 77700 Magny le Hongre FRANCE	
Citizenship:	France	
Inventor's Signature		Date <u>October 28th, 2003</u>

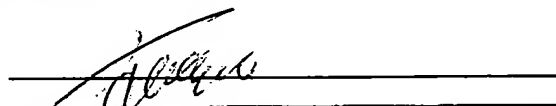
Name of Second Inventor:	Yu Feng	
Residence:	San Diego, CA	
Mailing Address:	12521 Carmel Canyon Road San Diego, CA 92130	
Citizenship:	China	
Inventor's Signature	_____	Date _____

Name of Third Inventor:	Ghalib Alkhatib	
Residence:	Carmel, IN	
Mailing Address:	13264 Penneagle Drive Carmel, IN 46033	
Citizenship:	Canada	
Inventor's Signature	_____	Date _____

Name of Fourth Inventor:	Edward A. Berger	
Residence:	Rockville, MD	
Mailing Address:	5809 Edson Lane #204 Rockville, MD 20852	
Citizenship:	United States of America	
Inventor's Signature	_____	Date _____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Inventor:	Christophe Combadiere
Residence:	Paris, France
Mailing Address:	18 Rue de Reage 77700 Magny le Hongre FRANCE
Citizenship:	France
Inventor's Signature	 _____
Date	_____

Name of Second Inventor:	Yu Feng
Residence:	San Diego, CA
Mailing Address:	12521 Carmel Canyon Road San Diego, CA 92130
Citizenship:	China
Inventor's Signature	 _____
Date	10/22/03

Name of Third Inventor:	Ghalib Alkhatib
Residence:	Carmel, IN
Mailing Address:	13264 Penneagle Drive Carmel, IN 46033
Citizenship:	Canada
Inventor's Signature	_____
Date	_____

Name of Fourth Inventor:	Edward A. Berger
Residence:	Rockville, MD
Mailing Address:	5809 Edson Lane #204 Rockville, MD 20852
Citizenship:	United States of America
Inventor's Signature	_____
Date	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Inventor:	Christophe Combadiere
Residence:	Paris, France
Mailing Address:	18 Rue de Reage 77700 Magny le Hongre FRANCE
Citizenship:	France
Inventor's Signature	Date

Name of Second Inventor:	Yu Feng
Residence:	San Diego, CA
Mailing Address:	12521 Carmel Canyon Road San Diego, CA 92130
Citizenship:	China
Inventor's Signature	Date

Name of Third Inventor:	Ghalib Alkhatib
Residence:	Carmel, IN
Mailing Address:	13264 Penneagle Drive Carmel, IN 46033
Citizenship:	Canada
Inventor's Signature	<i>G. Alkhatib</i> Date 10-24-03

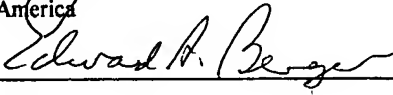
Name of Fourth Inventor:	Edward A. Berger
Residence:	Rockville, MD
Mailing Address:	5809 Edson Lane #204 Rockville, MD 20852
Citizenship:	United States of America
Inventor's Signature	Date

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Inventor:	Christophe Combadiere	
Residence:	Paris, France	
Mailing Address:	18 Rue de Reage 77700 Magny le Hongre FRANCE	
Citizenship:	France	
Inventor's Signature	_____	Date _____

Name of Second Inventor:	Yu Feng	
Residence:	San Diego, CA	
Mailing Address:	12521 Carmel Canyon Road San Diego, CA 92130	
Citizenship:	China	
Inventor's Signature	_____	Date _____

Name of Third Inventor:	Ghalib Alkhatib	
Residence:	Carmel, IN	
Mailing Address:	13264 Penneagle Drive Carmel, IN 46033	
Citizenship:	Canada	
Inventor's Signature	_____	Date _____


Name of Fourth Inventor:	Edward A. Berger	
Residence:	Rockville, MD	
Mailing Address:	5809 Edson Lane #204 Rockville, MD 20852	
Citizenship:	United States of America	
Inventor's Signature		Date 10/28/03

Name of Fifth Inventor:	Philip M. Murphy
Residence:	Rockville, MD
Mailing Address:	10 Hastings Circle Rockville, MD 20850
Citizenship:	United States of America
Inventor's Signature	<u>Philip M. Murphy</u> Date <u>10/29/03</u>

Name of Sixth Inventor:	Christopher C. Broder
Residence:	Rockville, MD
Mailing Address:	1717 Gruenther Avenue Rockville, MD 20851
Citizenship:	United States of America
Inventor's Signature	_____ Date _____

Name of Seventh Inventor:	Paul E. Kennedy
Residence:	Silver Spring, MD
Mailing Address:	735 Easley Street Silver Spring, MD 20910
Citizenship:	United States of America
Inventor's Signature	_____ Date _____

Name of Fifth Inventor:	Philip M. Murphy
Residence:	Rockville, MD
Mailing Address:	10 Hastings Circle Rockville, MD 20850
Citizenship:	United States of America
Inventor's Signature _____	Date _____

Name of Sixth Inventor:	Christopher C. Broder
Residence:	Rockville, MD
Mailing Address:	1717 Gruenther Avenue Rockville, MD 20851
Citizenship:	United States of America
Inventor's Signature  _____	Date <u>10-27-03</u>

Name of Seventh Inventor:	Paul E. Kennedy
Residence:	Silver Spring, MD
Mailing Address:	735 Easley Street Silver Spring, MD 20910
Citizenship:	United States of America
Inventor's Signature _____	Date _____

Name of Fifth Inventor:	Philip M. Murphy
Residence:	Rockville, MD
Mailing Address:	10 Hastings Circle Rockville, MD 20850
Citizenship:	United States of America
Inventor's Signature	Date

Name of Sixth Inventor:	Christopher C. Broder
Residence:	Rockville, MD
Mailing Address:	1717 Gruenther Avenue Rockville, MD 20851
Citizenship:	United States of America
Inventor's Signature	Date

Name of Seventh Inventor:	Paul E. Kennedy
Residence:	Silver Spring, MD
Mailing Address:	735 Easley Street Silver Spring, MD 20910
Citizenship:	United States of America
Inventor's Signature	Date

Paul E. Kennedy 10/28/2003

TMH:jlb 06/10/03 4239-64823 197754.doc

PATENT
Attorney Reference Number 4239-64823

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Combadiere et al.

Art Unit: 1646

Application No. 08/864,458

Filed: May 28, 1997

For: CC CHEMOKINE RECEPTOR 5 DNA, NEW
ANIMAL MODELS AND THERAPEUTIC
AGENTS FOR HIV INFECTION

Examiner: John D. Ulm

NEW POWER OF ATTORNEY BY ASSIGNEE AND CERTIFICATE BY ASSIGNEE
UNDER 37 CFR § 3.73MAIL STOP RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

THE NATIONAL INSTITUTES OF HEALTH is the Assignee of the entire right, title and interest in the above-identified patent application, as evidenced by the Assignment recorded in the U.S. Patent and Trademark Office at Real-8854, Frames-0569-0576.

The Assignee hereby revokes any prior powers of attorney for this matter, and appoints as its representatives to conduct all business in the Patent and Trademark Office connected therewith the attorneys and agents associated with Customer Number 05318:

Name	Reg. No.	Name	Reg. No.
Dale Berkley	42,319	Norbert Pontzer	40,777
Steven Ferguson	38,488	Richard U. Rodriguez	45,980
Stephen Finley	36,357	Susan S. Rucker	35,762
James C. Haight	25,588	David R. Sadowski	32,808
Catherine M. Joyce	40,668	Marlene Shinn	46,005
John Peter Kim	38,514	Jack Spiegel	34,477

all of the National Institutes of Health, Office of Technology Transfer, 6011 Executive, Boulevard, Suite #325, Rockville, MD 20852. Assignee also grants an Associate Power of Attorney to the attorneys and agents associated with Customer Number 36218:

Name	Reg. No.	Name	Reg. No.
John W. Stuart	24,540	Michael D. Jones	41,879
Richard J. Polley	28,107	Tanya M. Harding	42,630
William D. Noonan	30,878	Susan Alpert Siegel	43,121
Donald L. Stephens Jr.	34,022	Gregory L. Maurer	43,781
Wayne W. Rupert	34,420	Gillian L. Bunker	47,461
Stacey C. Slater	36,011	Anne Carlson	47,472
Stephen A. Wight	37,759	Sheree L. Rybak	47,913
Robert F. Scotti	39,830	Devon J. Zastrow	50,206
Lisa M. Caldwell	41,653		

all of the law firm of Klarquist Sparkman, LLP, 121 SW Salmon Street, Suite 1600, Portland, Oregon 97204.

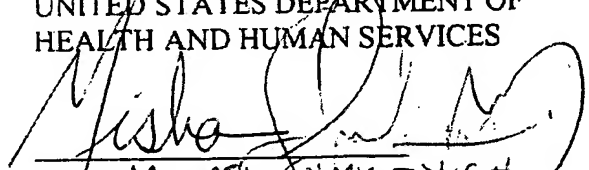
Please address all correspondence to William D. Noonan, M.D., at:

KLARQUIST SPARKMAN, LLP
One World Trade Center, Suite 1600
121 SW Salmon Street
Portland, OR 97204-2988
Telephone: 503-226-7391 Fax: 503-228-9446

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for patent matters under the authority of the memorandum dated May 21, 1991, from Louis W. Sullivan, the Secretary of the Department of Health and Human Services, delegating the authority to the Heads of the Public Health Service Operating Divisions, as well as a memorandum dated October 9, 2001, from Mark L. Rohrbaugh, Ph.D., J.D., Acting Director, Office of Technology Transfer, National Institutes of Health, delegating authority to sign this Power of Attorney to the undersigned individual. The undersigned is therefore authorized to exercise such authority in this matter.

Executed on June 10, 2003, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES


Name: MICHAEL SAMILOVICH
Reg. No.: 45,634

For: Mark Rohrbaugh, Ph.D., J.D.
Director, Office of Technology Transfer
National Institutes of Health
Office of Technology Transfer
6011 Executive Boulevard, Suite #325
Rockville, MD 20852
Telephone: 301-496-7056